

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

G. PENA-CARRILLO,

No. 2:18-cv-00708-SB

Plaintiff,

ORDER

v.

CORRECTIONS OFFICER MOORE,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation [43] on December 20, 2019, in which she recommends that the Court deny Defendant's Motion for Summary Judgment for Failure to Exhaust Administrative Remedies [30]. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v.*


Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings and Recommendation [43]. Accordingly, Defendant's Motion for Summary Judgment [30] is DENIED.

IT IS SO ORDERED.

DATED January 9, 2020



MARCO A. HERNÁNDEZ
United States District Judge